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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,443

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Mikkola Matti

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EXAMINER

LEVI, DAMEON E

ART UNIT

PAPER NUMBER

2841

MAIL DATE

DELIVERY MODE

02/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/510,443	Applicant(s) MATTI ET AL.	
	Examiner DAMEON E. LEVI	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/17/2008 (Restriction Election).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-13 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-13 and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/07/2004, 07/09/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 11, and 21 contain the trademark/trade name Lexan . Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a polycarbonate compound and, accordingly, the identification/description is indefinite. The claim rejections follow below as best understood by the Office.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2841

Claims 8-13, and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Towne et al US Patent 3918053.

Regarding claim 8, Towne et al discloses an apparatus comprising:

a plastic object (elements 1,10, Figs 1-11) is of a homogeneous material and comprises

a visually perceptible symbol and said plastic object further comprises

a first surface (elements 10, Figs 1-11), which first surface comprises a hollow

(elements 17, Figs 1-11) shaped like the symbol, which bottom surface formed by the

hollow is arranged so as to transmit light emitted by a light source and said bottom

surface is of said homogeneous material,

a second surface (elements 1, Figs 1-11), which second surface is located on the

opposite side of the plastic object with respect to said first surface, on which said

symbol is intended to be visually perceptible when light is emitted from the side of said first surface.

Regarding claim 9, Towne et al discloses characterized in that said object is made of homogeneous plastic molded material(elements 1,10, Figs 1-11).

Regarding claim 10, Towne et al discloses characterized in that the plastic molded material comprises a polycarbonate compound which further comprises polycarbonate Lexan 121R-7104 and polycarbonate Lexan 123R705780LM substantially in equal amounts(elements 1,10, Figs 1-11).

Regarding claim 11, Towne et al discloses characterized in that 100%

of said polycarbonate compound comprises 50% polycarbonate Lexan 121R-7104 and

50% polycarbonate Lexan 123R705780LM(elements 1,10, Figs 1-11).

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Regarding claim 12, Towne et al discloses characterized in that said second surface reflects light(elements 10, Figs 1-11).

Regarding claim 13, Towne et al discloses characterized in that said surface of the area of the hollow does not reflect light and it is arranged so as to transmit light from the side of said second surface to the side of said first surface(elements 17, Figs 1-11).

Regarding claim 19, Towne et al discloses an apparatus comprising:

a plastic object (elements 1,10, Figs 1-11) of a homogeneous material, the plastic object including: a symbol; a first surface (elements 10, Figs 1-11), which first surface comprises a hollow (elements 17, Figs 1-11)shaped like the symbol, which bottom surface formed by the hollow is arranged so as to transmit light emitted by a light source and said bottom surface is of said homogeneous material; and a second surface (elements 1, Figs 1-11), which second surface is located on the opposite side of the plastic object with respect to said first surface, on which said symbol is intended to be visually perceptible when light is emitted from the side of said first surface.

Regarding claim 20, Towne et al discloses wherein the plastic object comprises a homogeneous plastic molded material(elements 1,10, Figs 1-11).

Regarding claim 21, Towne et al discloses wherein the plastic molded material comprises a polycarbonate compound including polycarbonate Lexan 121R-7104 and polycarbonate Lexan 123R705780LM substantially in equal amounts(elements 1,10, Figs 1-11).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAMEON E. LEVI whose telephone number is (571)272-2105. The examiner can normally be reached on Mon.-Thurs. (9:00 - 5:00) IFP, Fridays Telework.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dameon E Levi
Primary Examiner
Art Unit 2841

/Dameon E Levi/
Primary Examiner, Art Unit 2841

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